

RIVERSTONE



RIVERSTONE REINSURANCE SERVICES LLC
250 COMMERCIAL STREET
SUITE 5000
MANCHESTER, NEW HAMPSHIRE 03101
TELEPHONE: 603-656-2200
FACSIMILE: 603-656-2400

August 7, 2014

Keith Olinger, SFD-7-5
United States Environmental Protection Agency Region IX
Superfund Division
75 Hawthorne Street
San Francisco, CA 94105

Re: Earl Manufacturing Company WM00023439

Dear Mr. Olinger:

Enclosed please find a CD with documents for the above referenced work matter. I am forwarding this to your attention at the request of Sean Magee.

Should you have any questions concerning this correspondence or need additional information, kindly give me a call at my direct dial number: (603) 656-2428.

Very Truly Yours,

A handwritten signature in blue ink that reads "Bridget Egan-Cardin".

Bridget Egan-Cardin
Senior Claims Associate

RIVERSTONE



A FAIRFAX Company

RIVERSTONE CLAIMS MANAGEMENT LLC
250 COMMERCIAL STREET, SUITE 5000
MANCHESTER, NEW HAMPSHIRE 03101
TELEPHONE: (603) 656-2200
TOLL FREE (888) 257-2059
FACSIMILE: (603) 656-2494/2400

**BY CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

August 1, 2014

Keith Olinger, SFD-7-5
United States Environmental Protection Agency Region IX
Superfund Division
75 Hawthorne Street
San Francisco, CA 94105

**Insured: Earl Manufacturing Company, Inc.
Work Matter: WM000023439**

**Re: CERCLA 104(e) Request for Information Related to:
Omega Chemical Corporation Superfund Site;
Earl Manufacturing, Inc.;
Real Property located at 11862 Burke Street
Sante Fe Springs, CA 90670**

Dear Mr. Olinger:

RiverStone Claims Management, LLC ("RiverStone") on behalf of TIG Insurance Company previously acknowledged receipt of the United States Environmental Protection Agency ("USEPA")'s letter addressed to Nicholas Bentley, President, TIG Insurance Company dated April 14, 2014 seeking information pursuant to the Comprehensive, Environmental Response, Compensation and Liability Act ("CERCLA") Section 104(e).

In the USEPA's letter, the USEPA requested a response to your inquiry within thirty days of our receipt of the information request. Please recall that on July 8, 2014, Mr. Stephen Berninger agreed to extend the deadline to respond until August 7, 2014.

RiverStone on behalf of TIG Insurance Company provides the following responses to your questions contained in Enclosure B of your letter:

1. **State the full legal name, address, telephone number, position(s) held by and the tenure of the individual(s) answering any of these questions on behalf of TIG Insurance (f/k/a/ Transamerica Insurance Company), and/or any of its predecessors, subsidiaries, affiliated businesses or commercial enterprises, or successor companies (collectively hereinafter, "TIG").**

Response:

Sean C. Magee, Sr.
Claims Analyst
RiverStone Claims Management, LLC
250 Commercial Street, Suite 5000
Manchester, NH 03301
(603) 656-2338
Tenure: July 21, 2008 to present.

2. **Provide copies of all casualty, liability, and/or pollution insurance policies issued by TIG to Earl Manufacturing Co., Inc. a California corporation ("Earl Manufacturing") or related to the Property, including but not limited to comprehensive general liability, primary, umbrella, and excess policies, as well as any environmental impairment liability or pollution legal liability insurance.**

Response:

Please see Addendum "A" attached to this letter.

3. **If there are any casualty, liability and/or pollution insurance policies issued by TIG to Earl Manufacturing or related to the Property of which you have any evidence, or of which you are aware, but neither possess copies, nor are able to obtain copies, identify each such policy to the best of your ability by identifying:**
- a. **The name and address of each insurer and of the insured**
 - b. **The type of policy and policy numbers;**
 - c. **The per occurrence or per accident policy limits of each policy;**
 - d. **Whether each such policy is "primary" or "excess"; and**
 - e. **The commencement and expiration dates of such policy.**

Response:

We are not presently aware of any other policies issued by TIG to Earl Manufacturing or relating to the property other than those in Addendum A.

4. **To the extent not identified in Questions 2 or 3 above, provide all other evidence of casualty, liability, and/or pollution insurance issued to Earl Manufacturing or related to the Property.**

Response:

Our policy search disclosed evidence of a Crum & Forster alleged policy, no. MI8471947 issued to Earl Manufacturing. We do not know whether this is the same "Earl Manufacturing" as concerned with your request nor do we know whether this policy, if issued, would pertain to the property. The numbering convention appears consistent with a Scheduled Property Floater Policy.

Furthermore, we found reference to alleged policies issued by Royal Insurance Company and St. Paul Insurance Company. The document which references the alleged Royal and St. Paul policies is contained in Addendum "C".

We were not able to locate any further documentation of non-TIG policies pertaining to Earl Manufacturing or the property, other than those documents appended at Addendums "B" and "C". Accordingly, we can make no assertion as to the terms, conditions, or existence of the alleged policies referenced in Addendums "B" and "C".

5. **For each policy of insurance identified in Questions 2, 3, or 4 above, provide all underwriting files, claim files, loss control files, and premium audits, as well as any accounting records including retrospective rating adjustments, for each such policy.**

Response:

As we have provided you copies of the TIG liability policies issued to Earl Manufacturing in Addendum "A", we believe that you likely have no need for underwriting files, loss control files or premium audits pertaining to the policies contained in Addendum "A". If our understanding is incorrect, please let us know immediately.

We are not aware of any claims made by Earl Manufacturing under the policies contained in Addendum "A". Furthermore, we are not aware of any further documents in our possession pertaining to the alleged policies contained in Addendums "B" and "C".

6. **Provide all documents and files that constitute, evidence, or refer or relate to claims made by Earl Manufacturing or any other person or entity under any of the policies identified in Questions 2, 3, or 4.**

Response:

As to the TIG policies (Question 2), we have not located any documents evidencing or referring to claims made under these policies. As to other potential policies, please see our response to questions 4 and 5 above.

7. **Identify all previous settlements entered into by TIG with or concerning Earl Manufacturing and/or the Property that relate in any way to environmental liabilities and/or to casualty, liability, and/or pollution insurance coverage, including: a) the date of the settlement; b) the scope of the release provided under such settlement; and c) the amount of money paid by TIG pursuant to such settlement, and to whom the money was paid. Provide copies of all such settlement agreements:**

Response:

We have found no evidence to date that TIG entered into any settlement agreements with Earl Manufacturing or into any settlement agreements concerning the property.

8. **Identify all insurance agencies or brokerage firms that placed any casualty, liability, and/or pollution insurance policies issued by TIG to Earl Manufacturing or related to**

Mr. Keith Olinger

August 1, 2014

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the Property. Include the name, address, telephone number and time period when the agency placed insurance on behalf of TIG as well as the name and current whereabouts, if known, of individuals at the agency or brokerage firm with whom TIG communicated and the nature of the contamination. If TIG believes no agency or brokerage firm was used to place casualty and/or liability insurance on behalf of Earl Manufacturing or related to the Property, provide an explanation of how such insurance was placed.

Response:

Hendersons, Inc.
PO Box 9017
Whittier, California 90608
(213) 698-9644

Henderson's Insurance attempted to place coverage for Earl Manufacturing from 1984 to 1988.

The following individuals were referenced in correspondence and documents from Hendersons, Inc.:

Steven Andy
Joyce Johnson
Don McCune
Ken Henderson
Ron Dennison

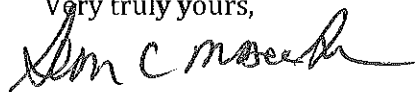
As these individuals are not employees of RiverStone or TIG, RiverStone and TIG are unaware of the current whereabouts of the aforementioned contacts.

TIG provides these responses based on the information currently available, and reserves all rights to supplement or revise these responses in the event additional documents are located. This response should not be deemed a waiver of any rights under the TIG policies, nor interpreted as an acknowledgement of coverage. TIG reserves the right to rely on the terms, conditions, exclusions of the TIG policies and underlying policies, including any Owned Property Exclusion or Pollution Exclusion contained therein, as well as applicable law.

This correspondence is not intended to be, nor should it be construed as, an exhaustive discussion of the terms, conditions, provisions or exclusions of any TIG policy. TIG reserves all rights and defenses available to it under the TIG policies and applicable law.

Should you have any questions concerning this correspondence or should you wish to discuss it further, please don't hesitate to call me at my direct dial number: (603) 656-2338; or at the toll-free number listed above. You may also contact me by e-mail at Sean.Magee@trg.com.

Very truly yours,



Sean C. Magee, Sr.
Claims Analyst